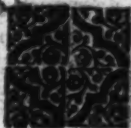


ARTICLES
AND
ORDINANCES
OF
VVARRRE:

For the present Expedition of the
Army of the Kingdome of
SCOTLAND.

*By the Committee of Estates, and his
Excellence, the Lord Generall
of the Army.*



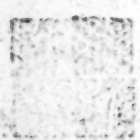
EDINBURGH,

Printed by *Evan Tyler*, Printer to the Kings
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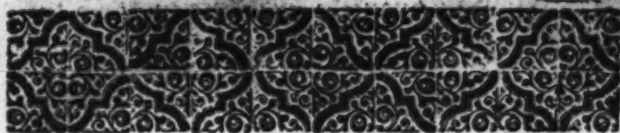
AND
ORDINANCES
OF
THE
PARLIAMENT

For the present Session of the
Parliament of the Kingdom of
SCOTLAND.
By the Committee of Estates, and the
Privy Council, the Lord Chancellor
of the Exchequer.



EDINBURGH.

Printed by James Ballantyne, at the Edinburgh Press, in the City of Edinburgh.



ARTICLES AND ORDINANCES OF VVARRE, &c.

That no man pretend ignorance, and The publi-
that every one may know the dutie of shing of
his place, that hee may do it ; The the Article
Articles and Ordinances following, and Ordina-
are to bee published at the generall nances of
Rendezvous in every Regiment a Warre.
part, by the Marshals of the severall Regiments, and in
the presence of all the Officers. The same shall after-
ward be openly read to every Company of Horse and
Foot, and at such times as shall be thought most con-
venient by the Lord Generall : and in like manner
shall be made knowne to so many as joyne themselves
to be professed Souldiers in the Army. For this end,
every Colonell and Captain shall provide one of those
Books, that hee may have it in readinesse at all occasi-
ons, and every Souldier shall solemnely swear this fol-
lowing Oath :

The Sol-
diers Oath

I N. N. promise and swear to be true
and faithfull in this Service, accor-
ding to the heads sworn by me in the So-
lemne League and Covenant of the three
Kingdomes; To honour and obey my
Lord Generall, and all my Superiour
Officers and Commanders, and by all
meanes to hinder their dishonour and
hurt: To observe carefully all the Ar-
ticles of Warre and Camp-Discipline:
never to leave the defence of this Cause,
nor flee from my Colours so long as I can
follow them: To be ready to watching,
warding, and working, so farre as I have
strength: To endure and suffer all di-
stresses, and to fight manfully to the ut-
termost, as I shall answer to GOD,
and as GOD shall help me.

I.

Kirk Dis-
cipline,

Kirk Discipline shall be exercised, and the sick cared
for in every Regiment, by the particular Eldership, of
Kirk-

(1)
Kirk-Session to be appointed, even as useth to be done in every Parish in the time of Peace: And that there may bee an uniformitie throughout the whole Armie in all matters Ecclesiasticall, there shall bee a generall Eldership, or common Ecclesiastick Judicatory, made up of all the Ministers of the Camp, and of one Elder direct from every particular Regiment, who shall also judge of Appellations made unto them from the particular Sessions or Elderships.

II.

For deciding of all questions, debates and quarrells that shall arise betwixt Captains and their Soldiers, or any others of the Army, and for the better observing of Camp-Discipline, two Courts of Justice, the one higher, and the other lower, are appointed, wherein all Judges are sworne to do justice equally: The higher also to judge of Appellations to bee made from the lower Court. And if any man shall by word or gesture shew his contempt or mis-regard, or shall fall out in boasting or braving, while Courts are sitting, he shall be punished by death. And both these Judicatories, as well of the Kirk matters, as of Warre, shall be subject to the Generall Assembly, and Committee of Estates respective.

III.

Whosoever shall wilfully or carelessly absent himself from morning and evening Prayers, or from preaching before and after-noon, on the Lords Day, or other extraordinary times appointed for the worship of GOD, when the signe is given by sound of Trumpet or Drumme,

Drumme, hee shall bee censured and punished for his neglect or contempt, by penaltie, imprisonment, or other punishment, as his fault deserveth.

After the warning given, there shall be no Market, nor selling of Commodities whatsoever, till the Prayers or Preaching be ended, upon the paine of forfeiting the things so sold, and of the imprisoning of the offenders.

IIII.

Common and ordinary swearing and cursing, open profaning of the Lords Day, wronging of his Ministers, and other Acts of that kinde, shall not onely be punished with losse of pay and imprisonment, but the transgressours shall make their publick repentance in the midst of the Congregation, and if they will not bee reclaimed, they shall with disgrace be openly cassered and discharged, as unworthy of the meanest place in the Armie.

V.

Duties to
the King,
Country,
and Generall.

If any shall speak irreverently against the Kings Majestie and his Authority, or shall presume to offer violence to his Majesties Person, he shall bee punished as a Traitour. He that shall speak evill of the Cause which we defend, or of the Kingdomes, the Parliaments, Convention of Estates, or their Committees in the defence thereof, or shall use any words to the dishonour of the Lord Generall, he shall be punished with death.

No man shall at his own hand, without warrant of the Committee, or of my Lord Generall, have, or keep intelligence with the enemy, by speech, letters, signes,

signes; or any other way, under the pain to be punished as a Traitor. No man shall give over any Strength, Magazin, Victuall, &c. Or make any such motion, but upon extremity, under the same paine: No man shall give supply, or furnish Money, Victuall, or any Commodities to the enemy, upon pain of death.

Whosoever shall be found to do violence against the Lord Generall, his Safe-guard, or Safe-conduct, shall die for it.

Whosoever shall be found guilty of carelesnesse and negligence in his service, although he be free of treachery and double-dealing, shall beare his own punishment.

VI.

All Commanders and Officers shall be carefull, both by their authority and example, that all under their charge, live in godlinesse, sobernesse, and righteousnesse: and if they themselves shall be common swearers, cursers, drunkards, or any of them at any time shall come drunk to his Guard, or by quarrelling, or any other way shall commit any notable disorder in his quarter, losse of place shall be his punishment; And further, according to the sentence of the Court of Warre.

The Captains that shall be negligent in training their Companies, or that shall be found to withhold from their Souldiers any part of their pay, shall be discharged of their place, and further censured by the Court of Warre.

No Commander or Officer shall conceal dangerous and discontented humours, inclined to mutinies, or grudging at the orders given them, but shall make them known to the prime Leaders of the Army, upon the paine

Duties of
Superiour

point to be accounted guiltie of mutinie.

No Commander or Officer shall authorize, or willingly permit any Souldier to go forth to a singular Combat, under pain of death; But on the contrary, all Officers shall bee carefull by all meanes to part quarrellings amongst Souldiers, although they be of other Regiments or Companies; and shall have power to command them to prison, which if the Souldiers shall dis-obey or resist by using any Weapon, they shall die for it.

No Captain shall presume at his own hand, without warrant of the Lord Generall, to cashier or give a Passe to any enroled Souldier or Officer, who hath appeared at the place of the Generall Rendezvous; nor shall any Commander, Officer, or Souldier depart without a Passe, or stay behinde the time appointed him in his Passe, and whosoever transgresseth the one way or the other, shall be punished at the discretion of the Court of Warre.

VII.

Duties of
Souldiers.

All Souldiers shall remember that it is their part to honour and obey their Commanders; and therefore shall receive their commands with reverence, and shall make no noise, but be silent, when the Officers are commanding or giving their directions, that they may be heard by all, and the better obeyed: he that faileth against this, shall be imprisoned.

No Souldier shall leave his Captaine, nor servant forsake his Master, whether hee abide in the Army or not, but upon licence granted, and in an orderly way.

Whosoever shall presume to discredit any of the great

great Officers of the Army, by writ, word, or any other way, and be not able to make it good, and who-soever shall lift his Weapon against any of them, shall be punished by death; and who-soever shall lift his hand against any of them, shall lose his hand.

No Souldier, nor inferiour Officer, shall quarrell with, or offer any injurie to his Superiour, nor refuse any dutie commanded him, upon pain of casting, and to be further censured by the Court of Warre. And if any shall presume to strike his Superiour, hee shall be punished with death. But if it shall happen, that any Officer shall command any thing to the evident and known prejudice of the publick, then shall he who is commanded, modestly refuse to obey, and presently give notice thereof to the Lord Generall.

If any man shall use any words or wayes, tending to mutinie or sedition, whether for demanding his pay, or upon any other cause, or if any man shall be privie to such mutinous speeches or wayes, and shall conceal them, both shall be punished with death.

All must shew their valour against the Enemies, and not by revenging their private injuries, which upon their complaints to their superiour Officers, shall be repaired to the full. And if any man presume to take his own satisfaction, or challenge a Combat, he shall be imprisoned, and have his punishment decreed by the Martiall Court.

The Provost Marshal must not be resisted or hindered in apprehending or putting Delinquents in prison, and all Officers must assist him to this end; and if any man shall resist or break prison, he shall be censured by the Court of Warre.

Duties to
others.

Murder is no lesse unlawfull and intolerable in the time of Warre, then in the time of Peace, and is to bee punished with death.

Whosoever shall be found to have forced any woman, whether he be Commander or Spuldier, shall die for it without mercy. And whosoever shall be found guiltie of adulterie or fornication, shall bee no lesse severely censured and punished then in the time of Peace.

If any common whores shall be found following the Army, if they be married women, and run away from their husbands, they shall be put to death without mercy, and if they be un-married, they shall be first marked by the hang-man, and thereafter by him scourged out of the Army.

Theeves and Robbers shall bee punished with the like severity. If any shall spoile, or take any part of their goods that die in the Army, or are killed in service, he shall restore the double, and be further punished at discretion. It is provided, that all their goods be forthcoming, and be disposed of according to their Testament and Will; declared by word or writ before witnesses, or if they have made no Testament, to their Wives, Children, or nearest Kindred, according to the Lawes of the Kingdome.

All shall live together as friends and brethren, abstaining from words of disgrace, contempt, reproach, giving of lies, and all provocation by word or gesture: He that faileth, shall be imprisoned for the first fault, and if he be incorrigible, he shall be with shame punished and put out of the Army.

All Souldiers shal come to their Colours, to watch, to be exercised, or to muster, with their own Armes, and if any Souldier shall come with another mans Armes, he shall be punished with rigour, and the lender shall lose his Armes. All shall come also with compleat and eight Arms in a decent manner, otherwise to be severely punished. Concerning Armes.

If any man shall sell or give in pawne his horse, his Armes, or any part of the Ammunition committed to him, or any Instruments, as Spades, Shovels, Pickes, used in the Field, he shall for the first and second time be beaten through the quarter, and for the third time be punished as for other theft: And hee that buyeth them, or taketh them to pawne, be he Souldier or Vintner, shall pay the double of the Money, beside the want of the things bought or im-pawned, and be further punished at discretion.

Whosoever in a debauched and lewd manner by Cards or Dice, or by sloath and unexcusable neglect, shall lose his horse and Armes, in whole, or in part, to the hinderance of the service; And whosoever shall wilfully spoile, or break his Arms, or any Instrument of Warre committed to him, by cutting down of Trees, or any other way, he shall serve as a Pionier, till the losse be made up, and he furnished upon his own charges.

X.

No man on his march, or at his lodging, within or without the Countrey upon whatsoever pretext, shall take by violence either horse, cartell, goods, money, or any other thing, lesse or more, but shall pay the usual prices for his meat and drink, or be furnished in an orderly

Concerning marching

derly way upon compt, at the sight of the Commislar, according to the order given by the Committee upon pain of death, without mercy.

If any man shall presume to pull down, or set on fire any dwelling house, though a Cottage, or hew down any fruit-trees, or to waite or deface any part of the beauty of the Countrey, he shall be punished most severely, according to the importance of the fault.

In marching, no man shall stay behinde without leave: No man shall straggle from his Troup or Company: No man shall march out of his ranke, and put others out of order, under all highest paine.

XI.

Of musters.

If any Colonell of horse or foot shall keepe backe his Souldiers from the appointed musters, or shall lend his Souldiers to make a false muster, upon triall in the Court Marshall, he shall be punished as a deceiver. And if any Muster-master shall use any false Rols, shall have any hand in false Musters, or by connivence, or any other way be tried to be accessory to them, he shall suffer the like punishment.

XII.

Victuallers.

No man shall presume to doe the smallest injury to any that bring necessaries to the Lager, whether by stealing from them, or deceiving them, or by violence in taking their horse or goods, under the pain to be accounted and punished as enemies. No victuallers shall sell rotten victuals, upon paine of imprisonment and confiscation, and further as they shall be judged to deserve.

No Souldier shall provide and sell Victuals, unless

he

he be authorized, nor shall any that selleth Viſtualls keep in his Tent or Hutz any Souldier at unseasonable houres, and forbidden times, under pain at discretion: Like as, all the prices thereof shall be set downe by the generall Commiſſer, and be given to the Quarter-master of the severall Regiments.

XIII.

No man enrolled professing himselfe or pretending to be a Souldier, shall abide in the Army, unless hee enter in some Company, nor shall hee that hath entered depart without licence, upon paine of death. No man having licence shall stay beyond the time appointed him, upon pain of losse of his pay during the time of his absence, and further punishment at discretion. If any man in a mutinous way, shew himselfe discontent with the quarter assigned him, he shall be punished as a mutiner. And if any man shall stay out of his quarter, or goe without shot of Cannon being intrenched, but one night, without leave of his superiour Officer, hee shall be casseerd.

Duties
the Camp

All that shall bee absent from the watch after the signe is given for the setting thereof shall bee severely punished. Hee that revealeth or falsifieth the watchword given by the Officer, within the Trenches, or before the Colours: He that is taken sleeping or drunk upon his watch: He that cometh off the watch before the time, every one of those shall bee punished with death.

Whoſoever shall assemble themselves together for taking mutinous counsell upon whatſoever pretext, they all, whether Officers or Souldiers, shall suffer death.

XIV.

Duties in
 Battell.

Every man when the Alarme is given, shall repaire speedily to his Colours; no man shall forsake or flee from his Colours.

No man in the Countrey shall reset them that flee.

No man in the battell shall throw away his Musket, Pike, or Bandileir, all under the paine of death.

Whatsoever Regiment of horse or foote, having charged the enemy, shall draw back or flee before they come to stroke of sword, shall answer for it before a Councel of warre; and whosoever Officer or Souldier shall be found to bee in the default, they shall bee punished by death, or some shamefull punishment, as the Councell of warre shall finde their cowardise to deserve.

XV.

Duties af-
 ter Battell.

If it shall come to passe, that the enemy shall force us to battell, and the Lord shall give us victory, none shall kill a yeelding enemy, nor save him that still pursueth, upon pain of death. Neither shall there be any ransoming of persons; spoiling, pillaging, parting of the prey, or wasting and burning by fire, or disbanding from their charges, or Officers, but as the Lord Generall shall give order upon the same pain of death.

XVI.

Rewards
 for the
 well deser-

Every mans carriage shall bee diligently observed, and he according to his merit rewarded or punished: And whatsoever Officer or Souldier shall take Commanders, or the Colours of the enemy, or in the siege of Townes shall first enter a breach, or scale the walls,

and

and shall carry himselfe dutifully in his station, and doth his part valiantly, in skirmish or battell, shall after the laudable example of the wisest, and worthiest Kingdomes and Estates, have his honour and reward according to his worth and deserving, whether hereafter we have peace or warre.

Matters that are cleare by the light and law of nature are presupposed : Things unnecessary, are past over in silence : and other things may bee judged by the common customes and constitutions of warre, or may upon new emergents, bee expressed afterward.

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(11)
and about his dignity in his station, and
shall stand to be maintained or better, shall
be maintained, and shall be maintained, and
shall be maintained, and shall be maintained,
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